

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029

**ENFORCEMENT CONFIDENTIAL**

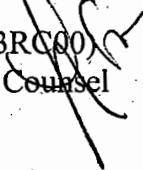
Date: September 28, 2009

Subject: **Consent Agreement and Final Order**  
In the Matter of: **D.C. Materials, Inc.**  
U.S. EPA Docket No. RCRA-03-2009-0258

From: Abraham Ferdas, Director (3LC00)  
Land and Chemicals Division



Judith M. Katz (3RC00)  
Acting Regional Counsel



To: Renée Sarajian  
Regional Judicial Officer

We recommend that you sign the Final Order associated with the attached Consent Agreement (collectively the "CA/FO") negotiated in settlement of an administrative enforcement matter against **D.C. Materials, Inc.** ("Respondent"). The case involve EPA's civil claims based upon violations of the Resource Conservation and Recovery Act ("RCRA") Subtitle I, 42 U.S.C. § 6991-6991m, and the District of Columbia's federally authorized underground storage tank program which operate *in lieu* of the federal underground storage tank regulations. The violations concern an underground storage tank ("UST") at the Respondent's facility, located at 25 Potomac Avenue SE, in Washington D.C. ("the Facility"). The Consent Agreement requires Respondent to pay a civil penalty of four thousand six hundred forty two dollars (**\$4,642.00**). This penalty is in accordance with law and the civil penalty amount was determined after consideration of the statutory factors set forth in Section 9006(c) of RCRA, 42 U.S.C. §6991e(c).

We concur with the terms of the enclosed CA/FO. Please sign the Final Order where indicated and return it and the attached documents to the Office of Regional Counsel for filing with the Regional Hearing Clerk and service upon Respondent.

cc: Mr. Henry W. Nehilla, President  
D.C. Materials, Inc.  
6860 Commercial Drive  
Springfield VA 22151